

PATENT  
USSN 09/706,243

180. The method of claim 163, wherein the target site is upstream of a transcription initiation site of the endogenous cellular gene.

181. The method of claim 163, wherein the target site is adjacent to a transcription initiation site of the endogenous cellular gene.

182. The method of claim 163, wherein the zinc finger protein comprises an SP-1 backbone.

183. The method of claim 182, wherein the zinc finger protein comprises a regulatory domain and is humanized.

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#### REMARKS

##### Status of the claims

The presently-pending case was filed as a divisional of USSN 09/229,037 on November 3, 2000. Claims 89-117 were presented with the application as filed by way of a preliminary amendment dated November 3, 2000.

By virtue of this preliminary amendment, claims 89-117 have been canceled and new claims 118-183 are presented. Claims 118-183 are directed to methods of modulating gene expression by administering a protein to a cell, and correspond essentially to claims in parent application 09/229,037 which were subject to restriction as the invention of Group I, in an Office Action in the parent application dated July 28, 1999. Accordingly, the present application maintains the status of a divisional of 09/229,037.

Attached hereto is a copy of currently pending claims 118-183.

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### CONCLUSION

Applicants look forward to an action on the merits. Please direct all correspondence to the undersigned.

If the Examiner believes that a telephone conversation would be helpful, he is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

Date: 10.24.01

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